

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on May 15, 2007 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Allegiance.

The following members of the Council answered roll call in person: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance in person were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Water Treatment Plant Superintendent Jim Lang; Fire Chief Michael Chism, Community Development Coordinator Kyle Gill, Police Chief Larry Metzelaars, and City Clerk Susan J. O'Brien.

CONSENT AGENDA

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the regular meeting May 1, 2007; Fire department report for the month of April 2007; payroll and bills for the first half of May, 2007.

Bills and payroll for the first half of May, 2007

General Fund

Payroll	\$	363,105.95
Bills	\$	<u>547,316.90</u>
Total	\$	910,422.85

Hotel Tax Fund

Payroll	\$	1,761.99
Bills	\$	<u>8,621.80</u>
Total	\$	10,383.79

Festival Management

Bills	\$	<u>854.50</u>
Total	\$	854.50

Insurance & Tort Judgment

Bills	\$	<u>8,048.17</u>
Total	\$	8,048.17

Water Fund

Payroll	\$	29,595.13
Bills	\$	<u>15,919.93</u>
Total	\$	45,515.06

Sewer Fund

Payroll	\$	31,602.58
Bills	\$	<u>22,566.68</u>
Total	\$	54,169.26

Cemetery Fund

Payroll	\$	4,350.97
Bills	\$	<u>1,945.18</u>
Total	\$	6,296.15

Health Insurance

Bills		\$ 96,361.06
	Total	\$ 96,361.06

Motor Fuel Tax Fund

Bills		\$ 14,695.90
	Total	\$ 14,695.90

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commission McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Chief Metzelaars swore in Andrew Warner and Ryan Koop as Police Officers.

Director Wortman announced a void in the intersection of 12th Street and DeWitt Avenue with a manhole to be replaced on Thursday and Friday, causing the intersection to be closed and detours for the duration.

NEW BUSINESS

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2007-750, authorizing the employment of Katie Wagner and Anthony Tate, Eastern Illinois University Biology Majors, as part-time interns to assist the Public Works Department in conjunction with the Wetlands Project at an hourly wage of \$10.00 per hour. The expenses will be 100% reimbursed by the Clean Lake Project.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-751, approving an annual salary of \$59,225 for Tim Daily, the Public Works Transportation Manager.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2007-1217, granting a variance of rear yard setback requirements located at 1112 and 1116 Charleston Avenue, Gail Foster & Roy Williams/ Family Video- Petitioners.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1217

AN ORDINANCE GRANTING A VARIANCE FROM BUILDING SETBACK REQUIREMENTS TO ENABLE CONSTRUCTION OF A BUILDING AND DEVELOPMENT THE 1100 BLOCK OF CHARLESTON AVENUE

WHEREAS there has been filed a written Petition by Gail Foster and Roy Williams for a variance, respecting the property legally described as:

Lots 8 and 9 of Block 135 in the Original Town of Mattoon,
now the City of Mattoon, Coles County, Illinois.
Commonly known as 1112 and 1116 Charleston Ave.
Exhibit "A" Parcel Map

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow construction of a building and to reduce the rear yard setback from the center of the alley right-of-way to 15 feet; and

WHEREAS the zoning code requires a 22.5 feet rear yard setback from the center of the alley right-of-way on lot in C3, Service Commercial Zoning District; and

WHEREAS the Zoning Board of Appeals held a properly noticed public hearing on May 1st, 2007 regarding petitioners' request for said variance; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the rear yard setback requirement on the above described properties, to enable construction of a building, no closer than 15 feet from the center of the alley right-of-way.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner Schilling, Mayor White</u>
NAYS (Names):	<u>None</u>
ABSTAIN (Names)	<u>Commissioner McKenzie</u>
ABSENT (Names):	<u>None</u>

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 16th, 2007.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, Abstain Commissioner McKenzie, YEA Commissioner Schilling YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance 2007-1218, authorizing the rezoning of 1533 ECR 800 N 8509 Dole Road, 8510 Dole Road, 8010 Dole Road, and five other parcels from RS (Suburban District to I (Industrial) City of Mattoon Petitioner. [Futuregen site]

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1218

AN ORDINANCE REZONING LAND SOUTH OF US ROUTE 121, AND ALONG BOTH THE EAST AND WEST SIDE OF COUNTY ROAD 200E, LOCATED WITHIN ONE AND A HALF MILES OF THE CORPORATE LIMITS OF THE CITY OF MATTOON

WHEREAS there has been filed a written Petition by the City of Mattoon requesting a change in zoning from RS, Suburban District, to I, Industrial District on the property legally described as:

Exhibit "A" Legal Descriptions

WHEREAS portions of the above-described premises are within one and a half miles of the corporate limits of the City of Mattoon, and are in excess of forty thousand (40,000) coterminous square feet.

WHEREAS the property is shown as prime area for Industrial growth, in the Coles County Comprehensive Plan.

WHEREAS the current zoning of the property is RS, Suburban District, and the rezoning request is in keeping with the zoning along US Route 121 east of 43rd Street; and

WHEREAS the Board of Zoning Appeals held a properly noticed public hearing on May 1st, 2007 regarding petitioner's request for said rezoning; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested rezoning be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve the rezoning on the premises described in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is rezoned from RS, Suburban District, to I, Industrial District.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 16th, 2007.

Exhibit "A" Legal Descriptions

Parcel I

A part of the Southeast Quarter (SE¹/₄) of Section Eight (8), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, more particularly described as:

Commencing at the Southeast corner of Section Eight, Township Twelve North, Range Seven East of the Third Principal Meridian, a distance of 2408.14 feet to the Place of Beginning; thence Northerly 0 degrees 00 minutes a distance of 860.88 feet; thence Northwesterly 342 degrees 27 minutes 15 seconds a distance of 142.64 feet; thence Westerly 270 degrees 00 minutes a distance of 122.0 feet, thence Northerly 0 degrees 00 minutes 455.0 feet; thence Easterly 90 degrees 00 minutes a distance of 362.0 feet, thence Southerly 180 degrees 00 minutes a distance of 455.0 feet; thence Westerly 270 degrees 00 minutes a distance of 177.0 feet; thence Southerly 180 degrees 00 minutes a distance of 996.40 feet; thence Westerly 268 degrees 10 minutes 13 seconds a distance of 20.01 feet to the place of beginning; situated in the County of Coles, State of Illinois.

This property is commonly known as 1533E County Road 800N, Mattoon, IL.

Parcel II

That portion of the following described land which is situated within one and one-half miles of the city limits of the City of Mattoon:

TRACT I:

The North Twenty (20) Acres of the West Half (W ¹/₂) of the Southeast Quarter (SE ¹/₄) and the North Twenty (20) Acres of the East Half (E ¹/₂) of the Southwest Quarter (SW ¹/₄) and the Southeast Quarter (SE ¹/₄) of the Northwest Quarter (NW ¹/₄), all in section Eight (8), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois.

TRACT II:

The South Sixty (60) Acres of the West Half (W ¹/₂) of the Southeast Quarter (SE ¹/₄) and the South Sixty (60) Acres of the East Half (E ¹/₂) of the Southwest Quarter (SW ¹/₄) both in section Eight (8), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois, containing 120 acres, more or less, EXCEPT

A part of the Southeast Quarter (SE ¹/₄) of Section 8, Township 12 North, Range 7 East of the Third Principal Meridian more particularly described as:

Commencing at the Southeast Corner of Section 8, Township 12 North, Range 7 East of the Third Principal Meridian; thence

Westerly on an assumed azimuth of 268°10'13" a distance of 2,408.14 feet to the place of beginning: thence Northerly 0°00' a distance of 860.88 feet; thence Northwesterly 342°27'15" a distance of 142.64 feet; thence Westerly 270°00' a distance of 122.0 feet; thence Northerly 0°00' a distance of 455.0 feet; thence Easterly 90°00' a distance of 362.0 feet; thence Southerly 180°00' a distance of 455.0 feet; thence Westerly 270°00' a distance of 177.0 feet; thence Southerly 180°00' a distance of 996.40 feet; thence Westerly 268°10'13" a distance of 20.01 feet to the place of beginning, containing 4.31 acres more or less and situated in the County of Coles, State of Illinois.

Parcel III

That portion of the following described land which is situated within one and one-half miles of the city limits of the City of Mattoon:

TOWNSHIP 12 NORTH, RANGE 7 EAST OF THE 3RD PRINCIPAL MERIDIAN, COLES COUNTY, ILLINOIS:

SECTION 8:

TRACT I:

The Northeast (NE ¼) of the Northwest Quarter (NW ¼) and part of the West Half (W ½) of the Northeast Quarter (NE ¼) described together as a whole as follows:

Beginning at the Northwest Corner of the Northeast Quarter (NE ¼) of said Section 8; being an iron rod tagged RLS 2054; thence along the North line of said Northeast Quarter (NE ¼) (bearings based on true meridian determined by solar observation) South 89 degrees 27 minutes 17 seconds East 326.48 feet to the Southwesterly line of the right of way of the Illinois Central Gulf Railroad Company, as per Deed to the Decatur, Sullivan and Mattoon Railroad Company, recorded in book 45, page 103 of Deeds, in the Recorder's Office of said County; thence South 53 degrees 58 minutes 08 seconds East 1194.06 feet along said Southwesterly line to the East line of said West Half (W ½) of the Northeast Quarter (NE ¼); thence South 0 degrees 13 minutes 36 seconds West 1903.21 feet along said East line to the South line of said Northeast Quarter (NE ¼); thence South 89 degrees 33 minutes 51 seconds West 1291.67 feet along said South line to the Southwest Corner of said Northeast Quarter (NE ¼); thence North 0 degrees 09 minutes 17 seconds East 1309.26 feet along the West line of said Northeast Quarter (NE ¼) to the Southeast Corner of said Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼); thence North 89 degrees 56 minutes 44 seconds West 1294.87 feet; thence North 0 degrees 09 minutes 16 seconds East 1320.35 feet; thence South 89 degrees 27 minutes 17 seconds East 1294.89 feet to the point of beginning, containing 108.790 acres; and

TRACT II:

The East Sixty (60) feet of even width of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼); and

TRACT III

Part of the Northeast Quarter (NE ¼) and North Half (N ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼), more particularly described as follows:

Commencing at the Southeast Corner of said Section 8; thence azimuth 0 degrees 04 minutes 12 seconds a distance of 1937.00 feet to the place of beginning; thence azimuth 269 degrees 01 minutes 10 seconds a distance of 1324.00 feet; thence azimuth 359 degrees 59 minutes 48 seconds a distance of 2605.87 feet to the railroad right of way line; thence azimuth 126 degrees 03 minutes 54 seconds along the said right of way line a distance of 949.62 feet; thence azimuth 178 degrees 58 minutes 26 seconds a distance of 1489.59 feet; thence azimuth 89 degrees 01 minutes 10 seconds a distance of 530.40 feet; thence azimuth 180 degrees 04 minutes 12 seconds a distance of 543.90 feet to the place of beginning EXCEPT:

Commencing at the Southeast corner of said Section 8; thence azimuth 0 degrees 04 minutes 12 seconds a distance of 1937.00 feet to the place of beginning; thence azimuth 269 degrees 01 minutes 10 seconds a distance of 1324.00 feet; thence azimuth 359 degrees 59 minutes 48 seconds a distance of 645.17 feet; thence azimuth 89 degrees 14 minutes 46 seconds a distance of 792.50 feet; thence azimuth 178 degrees 58 minutes 26 seconds a distance of 98.14 feet; thence azimuth 89 degrees 01 minutes 10 seconds a distance of 530.40 feet; thence azimuth 180 degrees 04 minutes 12 seconds a distance of 543.90 feet to the place of beginning,

all situated in Mattoon Township, Coles County, Illinois

All tracts containing a total of 140.72 acres, more or less.

Parcel IV

A part of the North Half (N ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Eight (8), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, more particularly described as:

Commencing at the Southeast Corner of said Section Eight (8), thence azimuth 0° 04' 12" a distance of 1937.00 feet to the place of beginning; thence azimuth 269° 01' 10" a distance of 1324.00 feet; thence azimuth 359° 59' 48" a distance of 645.17 feet; thence azimuth 89° 14' 46" a distance of 792.50 feet; thence azimuth 178° 58' 26" a distance of 98.14 feet; thence azimuth 89° 01' 10" a distance of 530.40 feet; thence azimuth 180° 04' 12" a distance of 543.90 feet to the place of beginning, containing 18.35 acres, more or less, and situated in Mattoon Township, Coles County, Illinois

Parcel V

The South Sixty (60) acres of the East Half (E ½) of the Southeast Quarter (SE ¼) of Section 8 Township 12 North, Range 7 East of the Third Principal Meridian, Coles County, Illinois.

Parcel VI

That part of the East Half (E ½) of the Northeast Quarter (NE ¼) that lies South of the railroad right-of-way and the North Half (N ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) all in Section Eight (8), Township 12 North, Range 7 East of the Third Principal Meridian.

EXCEPT:

Commencing at the Southeast Corner of said Section Eight (8); thence azimuth 0° 04' 12" a distance of 1937.00 feet to the place of beginning; thence azimuth 269° 01' 10" a distance of 1324.00 feet; thence azimuth 359° 59' 48" a distance of 2605.87 feet to the railroad right-of-way line; thence azimuth 126° 03' 54" along said right-of-way line a distance of 949.62 feet; thence azimuth 178° 58' 26" a distance of 1489.59 feet; thence azimuth 89° 01' 10" a distance of 530.40 feet; thence azimuth 180° 04' 12" a distance of 543.90 feet to the place of beginning, containing 48.28 acres, more or less, and situated in Mattoon Township, Coles County, Illinois.

This property is commonly known as 8509 Dole Road (County Highway 13), Mattoon, IL.

Parcel VII

All that part of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Nine (9), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian, Coles County, Illinois, lying South and West of a line Fifty feet distant southwesterly from and parallel to the center line of the track of the Illinois Central Railroad Company, containing one and twenty-five hundredths acres, more or less.

This property is commonly known as 8510 Dole Road (County Highway 13), Mattoon, IL.

Parcel VIII

The West One-half (W ½) of the Southwest Quarter (SW ¼), and all that part of the South One-half (S ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), that lies South of the right of way of the Illinois Central Railroad, formerly the Peoria, Decatur and Evansville Railway, all in Section Nine (9), Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian. Also all that part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Nine (9), lying South of the right of way of the Illinois Central Railway Company, & all that part of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Nine lying South of the right of way of the Illinois Central Railway Co., and a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Nine (9) described as follows: Beginning at the Northeast corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Nine running thence South on the Half Section line 138 feet to a stone, thence West to a stone on the West line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Nine (9), Thence North on said line, 138 feet to the Northwest corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Nine (9), thence East to the place of beginning, all in Township Twelve (12) North, Range Seven (7) East of the Third Principal Meridian.

Parcel IX

Part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Nine (S9), Township Twelve North (T12N), Range Seven East (R7E) of the Third P.M., described as follows:

Beginning at the Southwest (SW) Corner of said Section Nine (S9), thence azimuth 359°58'55" a distance of 415.26 feet, thence azimuth 90°01'16" a distance of 260.85 feet, thence azimuth 180°02'35" a distance of 415.16 feet, thence azimuth 270°00'00" a distance of 260.40 feet to the point of beginning containing 2.48 acres more or less.

This property is commonly known as 8010 Dole Road (County Highway 13), Mattoon, IL.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling YEA Mayor White.

Commissioner Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2007-1219, authorizing the mayor to sign an outright grant agreement by and between the City of Mattoon and Nathan Burton dba EZ Parcel reimbursing up to \$5,000.00 from TIF Revenues for offsetting environmental engineering costs for a building located at 1312 Broadway Avenue.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1219

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND NATHAN BURTON D/B/A EZ PARCEL & BUSINESS SERVICE IN CONNECTION WITH THE MATTOON MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, NATHAN BURTON d/b/a EZ PARCEL & BUSINESS SERVICE (the “**Grantee**”), have submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cline, seconded by Commissioner Ervin, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White
NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 16th, 2007.

Attachment (1) - EXHIBIT "A"

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to adopt Special Ordinance 2007-1220, authorizing the mayor to sign an outright grant agreement by and between the City of Mattoon and Janice Moritz dba Warner's Office Equipment reimbursing up to \$5,000.00 from TIF Revenues for emergency structural repairs to the parapet walls for a building located at 1601 Broadway Avenue.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1220

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND JANICE MORITZ DBA: WARNER'S OFFICE EQUIPMENT IN CONNECTION WITH THE MATTOON MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, JANICE MORITZ d/b/a WARNER'S OFFICE EQUIPMENT (the "**Grantee**"), have submitted a proposal to the City of Mattoon, Illinois (the "**Municipality**") for redevelopment of a part of the Municipality's Mattoon Midtown Redevelopment Project Area (the "**Redevelopment Project Area**"); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the "**Grant Agreement**") concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT "A".

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cline, seconded by Commissioner Ervin, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O’Brien
Susan J. O’Brien, City Clerk

J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality’s Records on May 16th, 2007.

Attachment (1) - EXHIBIT “A”

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Special Ordinance 2007-1222, declaring surplus property for June 2, 2007 auction to be conducted at 3121 Cedar (Old Garment Factory).

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1222

AN ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS AND AUTHORIZING ITS SALE

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Supplies and equipment identified on Exhibit A to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The Police Chief is authorized to offer surplus vehicles by sealed, competitive bids on an “as is” basis. Furthermore the City of Mattoon, Illinois does not express any warranty or imply any statement of condition in regard to these vehicles. Auctioneer Don Bauer will

sell all other equipment declared surplus by this resolution at public auction on June 2, 2007 located at the corner of Cedar Street and 32nd Street (the former Garment Factory building) on terms acceptable to the City Attorney & Treasurer.

Section 3. The Mayor and City Clerk are hereby authorized to administratively sell and convey title to the property listed on the exhibits to this ordinance to the highest bidder without further formal consideration or approval by the City Council.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner McKenzie, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
 Commissioner McKenzie, Commissioner Schilling,
 Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 16th, 2007.

EXHIBIT A

Auction items for June 2, 2007:

Sidewalk Paving Bricks
3 Fuel Tanks – 500 gallon (Lake Paradise)
1993 Chevrolet 3500 (Diesel)*
1989 Chevrolet Blazer (Gas)*
1993 Chevrolet 2500 (Gas)*
1982 Ford F150 (Gas)*

2001 Chevrolet Impala – Silver
1995 Pontiac Grand Prix – White
1995 Oldsmobile Ciera – Lt. Blue

Upright air compressor
Gas-powered pressure washer
Framing nailer
Car Audio Equipment
Chainsaw
Video Equipment

4” Gas- Powered Trash Pump (on cart) Homelite

3” Gas-Powered Diaphragm Pump (on cart) Homelite
Gas-Powered Generator (on cart) Kohler
500 Gallon Fuel Tank & Pump A.O. Smth
500 Gallon Fuel Tank & Pump Westinghouse

*Previously declared surplus

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2007-752, approving a \$2,000.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the East Central Illinois Antique Farm Equipment Club for their show on July 20-22, 2007.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner Schilling moved to approve Council Decision Request 2007-753, amending Special Ordinance 2007-1214 to adjust the compensation for the Administrative Assistants’ job classification, and increase E-1 category to a maximum of \$41,000.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Special Ordinance 2007-1223, ratifying the side letter agreement between the City of Mattoon and the Mattoon Firefighters Association Local 691 concerning the upcoming promotional cycle and authorizing the Mayor to sign the agreement.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1223

AN ORDINANCE APPROVING THE SIDE LETTER AGREEMENT BETWEEN THE CITY OF MATTOON AND THE MATTOON FIREFIGHTERS ASSOCIATION LOCAL 691 CONCERNING THE UPCOMING PROMOTIONAL CYCLE FOR THE MATTOON FIRE DEPARTMENT AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.

BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The Mattoon City Council hereby ratifies the Side Letter Agreement attached hereto as Exhibit “A”.

Section 2. **This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.**

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner McKenzie, adopted this 15th day of May, 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 15th day of May, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 16th, 2007.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to recess to closed session at 7:14 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the litigation affecting or on behalf of the City of Mattoon (5ILCS 120/2(c)(11)).

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 7:32 p.m.

Administrator Gilmore presented potential site improvements to the exterior of the Cross County Mall.

Mayor White seconded by Commissioner Ervin moved to adjourn at 7:34 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien

City Clerk

The City Councils of the City of Mattoon and the City of Charleston held a joint meeting in the Education Center, Lincoln Room of Sarah Bush Lincoln Health Center on May 29, 2007 at 3:00 p.m.

The meeting was called to order at 3:03 p.m.

Pledge of Allegiance was recited by Charleston Mayor Inyart.

The following personnel stated in person their names: Mattoon Mayor Charles White, Mattoon Commissioners David Cline, David Schilling, Joe McKenzie, Randy Ervin, Mattoon City Attorney/Treasurer Preston Owen, Mattoon City Administrator Alan Gilmore, and Mattoon City Clerk Susan O'Brien; Charleston Mayor John Inyart, Charleston Commissioners Jim Dunn, Jeff Lahr, Lorelei Sims, and Larry Rennels, Charleston City Manager Scott Smith, and Charleston City Clerk Deborah Muller.

Also in attendance were Mattoon City personnel: Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Fire Chief Mike Chism, and Water Treatment Plant Superintendent Jim Lang, and Police Chief Larry Metzelaars.

Ms. Angela Griffin of Coles Together updated the Councils on Enterprise Zone benefactors, potential manufacturers, unemployment rate at 4.2%, project Starlight and other potential commercial prospects, water resources, Futuregen's draft and environmental study, and gross receipt taxes.

Mr. Rick Johnson, Coles County Engineer, updated the Councils on the I-57 Interchange at County Road 1000N with 54% completion, a November 2007 completion date, white topping projects, and right-of-way negotiations from Route 57 to Route 130.

Mr. David Wortman updated the Councils on the interconnect of water distribution systems between the cities as completed on May 23, 2007 with testing commencing tomorrow at rates between 800 GPM and 1.1 MGD.

Mr. Curt Buescher, Charleston Director of Public Works, updated the Councils on the intergovernmental cooperative agreement between the cities involving equipment sharing.

Mr. R. Scott Smith, Charleston City Manager, updated the Councils on facility service areas within the South Route 16 and County Road 1000 Corridor Development Districts requiring IEPA approvals and need for long-term goals. Director Wortman added the involvement of Department of Agriculture and their authorizations for expansions.

Mr. Kelly Lockhart of Coles County Regional Planning and Development Commission updated the Councils on aerial mapping using oblique imagery depicting all four sides of properties, distance measurements, area and height calculations, and line work on properties with a total cost of \$85,553 of which \$45,500 to be allocated between the cities of Charleston, Mattoon, Oakland, 911, EIU and County Highway Department.

Charleston City Manager Smith updated the Councils on the Buxton Community ID Retail Recruitment Project with the \$50,000 grant application response to be determined next week. Upon State approval, the document for each Council's consideration would be prepared to enable a full report from Buxton by May 2008.

Superintendent Lang announced the joint venture with Charleston and Mattoon of an AWWA (American Water Works Association) Workshop to be conducted October 3rd and 4th including plant tours, golf outing, banquet dinner, advertising in the trade journal, and 150-200 attendees.

Charleston Mayor Inyart invited other topics of interest to be discussed. Commissioner Ervin thanked the presenters and staff for preparation of the meeting. Council Member Dunn inquired about the Thompson Thrift Mattoon Marketplace's marketing. Administrator Gilmore responded with Thompson Thrift using the International Council of Shoppers and their own marketing strategies in locating occupants for the building. Manager Smith thanked the staff for holding conducive monthly meetings with the management of each city.

Charleston Mayor Inyart called for any public questions. Mrs. Jackie Record of Mattoon thanked the cities for public plantings and encouraged the cities to cooperatively improve the communities in other venues.

Mattoon Mayor Charles White seconded by Charleston Council Member Larry Rennels moved to adjourn. By unanimous acknowledgement, the meeting was adjourned at 4:08 p.m.

/s/ Susan J. O'Brien
City Clerk